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Oakland, California 94612
Telephone: (510) 272-6700

Attorneys for Defendants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DEBORAH J. PIMENTEL,

Plaintiff,

vs.

THOMAS J. ORLOFF, NANCY O'MALLEY, G.
RICHARD KLEMMER, DAVID C. BUDDE, THE
DISTRICT ATTORNEY'S OFFICE OF
ALAMEDA COUNTY, THE COUNTY OF
ALAMEDA, DOES 1-10,

Defendants.

Case No.: C08-00249 EMC

DEFENDANTS' REQUEST FOR
JUDICIAL NOTICE IN SUPPORT OF
MOTION TO DISMISS

Defendants THOMAS J. ORLOFF, NANCY O'MALLEY, G. RICHARD KLEMMER, DAVID C. BUDDE, THE DISTRICT ATTORNEY'S OFFICE OF ALAMEDA COUNTY, THE COUNTY OF ALAMEDA (hereafter "Defendants") hereby request, pursuant to Rule 201 of the Federal Rules of Evidence, that the Court, in ruling on Defendants' motion to dismiss, take judicial notice of the following facts:

1. That the Plaintiff DEBORAH J. PIMENTEL's current member status with the State Bar of California is Inactive.
2. That Plaintiff DEBORAH J. PIMENTEL is the same individual as Deborah J. Streicher.

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3. Pursuant to Rule 201 of the Federal Rules of Evidence, Defendants submit the following information to permit the court to take judicial notice of said facts:
- a. A State Bar of California attorney-search printout, dated May 30, 2008, indicating that Deborah J. Streicher #115182 is on inactive status, attached hereto as Exhibit 1.
 - b. The front page of Plaintiff's complaint, attached hereto as Exhibit 2, indicating her bar number is #115182, and that her address is the same as that listed on the attorney search printout.
4. Reference to the California Bar Association website for confirming an attorney's active or inactive status is a method "generally known within the territorial jurisdiction of the trial court". Federal Rule of Evidence § 201(b)(1).
5. Plaintiff's inactive membership status with the California Bar Association is a "fact capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned." Federal Rule of Evidence § 201(b)(2).
6. Plaintiff has filed suit against Defendants alleging employment discrimination and wrongful termination. While Plaintiff has indicated that she is in pro per, she also included her bar number on the complaint. Defendants respectfully request that this Court take judicial notice of the fact that Plaintiff's status with the State Bar of California is inactive.

DATED: *June 5, 2008*

RICHARD E. WINNIE
County Counsel in and for the County of
Alameda, States of California


By 
DIANE C. GRAYDON
Deputy County Counsel
Attorneys for Defendants

EXHIBIT 1
To Defendants' Request for Judicial Notice

Friday, May 30, 2008

State Bar Home

Home > Attorney Search > Attorney Profile

ATTORNEY SEARCH

Deborah J. Streicher - #115182**Current Status: Inactive**

This member is inactive, but is eligible to become active.

See below for more details.

Profile Information

Bar Number	115182		
Address	6644 Wooster Ct Castro Valley, CA, 94552	Phone Number	(510) 886-8933
		Fax Number	(510) 886-5033
		e-mail	Not Available
District	District 3	Undergraduate School	No Information Available;
County	Alameda	Law School	John F Kennedy Univ SOL; Orinda CA
Sections	Criminal Law Labor & Employment		

Status History

Effective Date	Status Change
<i>Present</i>	Inactive
11/7/2007	Inactive
8/16/2007	Not Eligible To Practice Law
6/1/2006	Inactive
9/16/2005	Not Eligible To Practice Law
1/1/2005	Inactive
12/3/1984	Admitted to The State Bar of California

Explanation of member status

Actions Affecting Eligibility to Practice Law

Effective Date	Description	Case Number	Resulting Status
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Disciplinary and Related Actions

This member has no public record of discipline.

Administrative Actions

8/16/2007	Suspended, failed to pay Bar membr. fees	Not Eligible To Practice Law
9/16/2005	Suspended, failed to pay Bar membr. fees	Not Eligible To Practice Law

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EXHIBIT 2
To Defendants' Request for Judicial Notice

E-filing

Deborah J. Pimentel, In Pro Per
CA SBN 115182
6644 Wooster Court
Castro Valley, CA 94552
510 886 8933

ORIGINAL
FILED

JAN 14 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DEBORAH J. PIMENTEL,

Case No.:

008-00249

Plaintiff,

EMPLOYMENT DISCRIMINATION
AND WRONGFUL TERMINATION
COMPLAINT

vs.

THOMAS J. ORLOFF, NANCY O'MALLEY,
G. RICHARD KLEMMER,
DAVID C. BUDDE, THE DISTRICT
ATTORNEY'S OFFICE OF ALAMEDA
COUNTY, THE COUNTY OF ALAMEDA,
DOES 1 - 10,

Defendants.

1. Plaintiff resides at:

6644 Wooster Court

Castro Valley, CA 94552

Phone: 510 886 8933

2. Defendants THOMAS J. ORLOFF, NANCY O'MALLEY, DAVID C. BUDDE and THE
DISTRICT ATTORNEY'S OFFICE OF ALAMEDA COUNTY are located at:

1225 Fallon Street, 9th Floor

Oakland, CA 94612

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CERTIFICATE OF SERVICE

Pimentel v. Thomas Orloff, et al.

Case No. C08-00249 EMC

I, Diane C. Graydon, declare that:

I am a citizen of the United States, over the age of 18 years and not a party to the within entitled action. I am employed at the Office of the County Counsel, County of Alameda, 1221 Oak Street, Suite 450, Oakland, California 94612-4296.

On June 5, 2008, I served the following document(s):

DEFENDANTS' NOTICE OF MOTION AND MOTION TO DISMISS PURSUANT TO FRCP 12(b)(6); MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF: REQUEST FOR JUDICIAL NOTICE

on the following parties:

Deborah J. Pimentel,
6644 Wooster Court
Castro Valley, CA 94552
T: (510) 886-8933

☒ BY MAIL: I caused true and correct copies of the above document(s) to be placed and sealed in an envelope (or envelopes) addressed to the addressee(s) with postage thereon fully prepaid, and I further caused said envelope(s) to be placed in the United States mail, in the City of Oakland, California.

☐ BY FACSIMILE: I caused a copy (or copies) of such document(s) to be sent via facsimile transmission to the office(s) of the addressee(s).

☐ BY PERSONAL SERVICE: I caused true and correct copy (or copies) of the above document(s) to be placed and sealed in an envelope (or envelopes) addressed to the addressee(s) and I caused such envelope(s) to be delivered by hand on the office(s) of the addressee(s).

☐ BY FEDERAL EXPRESS: I caused true and correct copy (or copies) of the above document(s) to be placed and sealed in an envelope (or envelopes) addressed to the addressee(s) and I caused such envelope(s) to be delivered to Federal Express for overnight courier service to the office(s) of the addressee(s).

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Oakland, California on June 5, 2008.


Diane C. Graydon